

## HOUSE OF REPRESENTATIVES

MONDAY, JULY 22, 1963

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. PRICE.

## DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOM,  
July 22, 1963.

I hereby designate the Honorable MELVIN PRICE to act as Speaker pro tempore today.  
JOHN W. MCCORMACK,  
Speaker.

The Reverend Vairl C. Winter, Grass Lick Baptist Church, Kenna, W. Va., offered the following prayer:

*Let every soul be subject unto the higher powers. For there is no power but of God; the powers that be are ordained of God.—Romans 13: 1.*

May we pray:

Supreme Architect of the Universe: Maker and ruler of all people, history and experience have given us so many evidences of Thy guidance to nations and to individuals that we should not doubt Thy power or Thy willingness to direct us. Give us faith to be led by Thee.

Bless our land with honorable industry, sound learning, and pure manners. Defend our liberties, preserve our unity. Save us from violence, discord, and confusion. Fashion us into one happy people whose God is the Lord. Endue with the spirit of wisdom those whom we entrust in Thy name with authority, temper our self-confidence with thankfulness, and in the day of trouble, suffer not our trust in Thee to fail.

We would thank Thee for our beloved colleague who has served among us and now who lives in Thy clearer presence.

In His name, who gave His all to us, we pray. Amen.

## THE JOURNAL

The Journal of the proceedings of Thursday, July 18, 1963, was read and approved.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on July 19, 1963, the President approved and signed a bill and a joint resolution of the House of the following titles:

H.R. 4946. An act to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives; and

H.J. Res. 405. Joint resolution to amend the joint resolution providing for U.S. participation in the International Bureau for the Protection of Industrial Property.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 513. Joint resolution authorizing the President to proclaim the week beginning July 28, 1963, as Veterinary Medicine Week.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2513. An act to amend the Tariff Act of 1930 to require certain new packages of imported articles to be marked to indicate the country of origin, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5279) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes."

## DISTRICT OF COLUMBIA BUSINESS

Mr. MOSS. Mr. Speaker, I ask unanimous consent that business in order today under clause 8, rule XXIV, pertaining to District of Columbia business, shall be in order on tomorrow, Tuesday, July 23.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

## SPECIAL ORDERS TRANSFERRED TO TUESDAY

Mr. MOSS. Mr. Speaker, I ask unanimous consent that any special orders obtained for today shall be transferred to tomorrow and that they be called before any special orders scheduled for Tuesday.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

## RECESS

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the House stand in recess subject to the call of the Chair.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The House stands in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 6 minutes p.m.) the House stood in recess subject to the call of the Chair.

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 5 o'clock and 14 minutes p.m.

## FURTHER MESSAGE FROM THE PRESIDENT

A further message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

## RAILROAD RULES DISPUTE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 142)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

*To the Congress of the United States:*

This Nation stands on the brink of a nationwide rail strike that would, in very short order, create widespread economic chaos and distress. After more than 3½ years of constant but fruitless attempts to achieve a peaceful settlement between the parties through every private and public means available, this dispute has reached the point where only prompt and effective congressional action can assure that serious injury to the public will be prevented.

## BACKGROUND OF THE CASE

This dispute is between virtually all of the Nation's major railroads and the five railroad operating brotherhoods—the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen, the Order of Railway Conductors and Brakemen, the Brotherhood of Railroad Trainmen, and the Switchmen's Union of North America. It involves—in addition to the more traditional issues of wage structure and fringe benefits—new and complex issues relating to changes proposed by the carriers and the brotherhoods in work rules affecting the manning of certain railroad operations and the assignments of particular crafts. The background and history of this case, the issues in dispute and the respective positions of the parties have been clearly and concisely set forth in a July 19, 1963, report unanimously signed by six tripartite members of a special subcommittee of the President's Advisory Committee on Labor-Management Policy. That report, including the appendixes, is included as an appendix to this message, and should be carefully read by all who seek the facts on this case.

Without attempting to summarize either the findings of that report or the excellent work of the other panels mentioned below, the following points are worth noting:

After the carriers on November 2, 1959, had served notice of proposed rule changes on the brotherhoods, and the brotherhoods had served notice of other proposed rule changes on September 7, 1960, and no agreement was forthcoming, both parties agreed on October 17, 1960, to submit the entire subject to a special Presidential study commission of 15 members, composed of an equal num-

ber of public, railroad, and brotherhood representatives. Following 13 months of extensive hearings and deliberations, 15,500 pages of oral testimony and more than 300 exhibits, this Presidential Railroad Commission, under the chairmanship of Judge Simon H. Rifkind, recommended specific rules changes and employee protection provisions in a comprehensive 342-page report.

Following a Supreme Court determination that there was no legal barrier to the carriers' initiating such changes, with appropriate bargaining and recourse to the Railway Labor Act procedures, and following the continued inability of the parties to negotiate an agreement, the National Mediation Board recommended to the parties that the case be submitted to binding arbitration.

As disagreement continued and a nationwide strike threatened an Emergency Board established pursuant to section 10 of the Railway Labor Act, under the chairmanship of Judge Samuel I. Rosenman, following its own unsuccessful efforts to mediate the dispute, made a series of recommendations designed to serve as the basis for constructive collective bargaining.

After further discussions and an extension at my request of the status quo period, the Secretary of Labor on July 5, 1963, recommended solutions for the two most controversial issues along with procedures to dispose of the rest.

On July 9, 1963, I recommended to the parties that all issues be submitted for final settlement to Associate Justice of the Supreme Court Arthur Goldberg, whose judicious temperament, expert competence, and many successes as a mediator uniquely deserved the confidence of both parties. This recommendation, and each of the preceding four sets of recommendations, were accepted by the carriers; but the brotherhoods rejected them in whole or in part.

On July 10, at my request, the parties agreed to maintain the status quo until July 29 to permit time, first, for the Labor-Management Subcommittee to examine and report the issues, and, second, for the Congress to consider this entire matter. It was my hope—and remains such—that the parties would recognize the importance of settling this dispute without resort either to legislation or to a crippling national strike. However, too little progress has been made in the past 11 days to release me from my July 10 commitment to transmit to the Congress on this date a review of the case and my recommendations for its disposition.

We face this prospect: In the absence either of an agreement, postponement, or reversal of position on the part of the parties, or of enactment of some contrary measure on the part of the Congress, July 29 will almost certainly witness the start of a general rail strike. The carriers on that date can be expected to initiate work rules changes along the lines of those approved by the various panels. And the brotherhoods thereupon can be expected to strike 94 percent of the Nation's rail mileage.

#### THE EFFECTS OF A PROLONGED NATIONWIDE RAIL STRIKE

In the event a strike occurs it will bring widespread and growing distress.

Many industries which rely primarily on rail shipment—including coal and other mining which is dependent on rails leading directly to the mine, steel mills that ship by rail, certain chemical plants which load liquids directly into tank cars, and synthetic fiber mills dependent on chemicals which for safety reasons can be carried only in rail tank cars—all of these and others would be forced to close down almost immediately. There would not be enough refrigerated truck capacity to transport all of the west coast fruit and vegetable crop. A substantial portion of these and other perishable products would rot. Food shortages would begin to appear in New York City and other major population centers. Mail services would be disrupted. The delay, cost, and confusion resulting from diverting traffic to other carriers would be extremely costly; and considerable rail traffic would be wholly incapable of diversions.

The national defense and security would be seriously harmed. More than 400,000 commuters would be hard hit.

As more and more industries exhausted their stockpiles of materials and components—including those engaged in the production of automobiles, metal products, lumber, paper, glass, and others—the idling of men and machines would spread like an epidemic. Construction projects dependent on heavy materials—exports and waterway shipping dependent on rail connections—community water supplies dependent on chlorine which also moves only by rail—slaughterhouses and stockyards, iron ore, rubber and machinery, magazine publishers and transformer manufacturers—all would be hard hit by a strike. The August grain harvest would present a particularly acute problem.

The Council of Economic Advisers estimates that by the 30th day of a general rail strike, some 6 million nonrailroad workers would have been laid off in addition to the 200,000 members of the striking brotherhoods and 500,000 other railroad employees—that unemployment would reach the 15-percent mark for the first time since 1940—and that the decline in our rate of GNP would be nearly four times as great as the decline which occurred in this Nation's worst postwar recession.

At the same time, shortages and bottlenecks would increase prices—not only for fruits and vegetables but for many industrial materials and finished products as well—thus impairing our efforts to improve our competitive posture in foreign and domestic markets and to safeguard our balance of payments and gold reserves. And even if the strike were ended by private or congressional action on the 30th day, at least another month would be required before the economy would be back on its present expansion track. Indeed, a prolonged strike could well break the back of the present expansion and topple the economy into recession before the tax reductions and

other measures now before the Congress for reinforcing the expansion have had a chance to take hold.

#### THE LEGISLATIVE SETTING

In short, the cost to the national interest of an extended nationwide rail strike is clearly intolerable. No responsible government could accept the present situation with complacency. Because in the past both sides have recognized the serious consequences involved, there have been only two brief national rail strikes in this century. The likelihood of a strike next week thus means that we are confronted with an extraordinary situation, both in terms of the impact of the strike on our economy and in terms of the issues involved. These issues, unlike those of typical wage disputes, are ones with very little collective bargaining play left in them. The work-rules aspects of the present dispute are regarded as do-or-die matters by both parties—and the history of industrial relations shows that when employers and employees consider the issue to be this vital, they can both stand a strike much longer than the country can stand it. Therefore the parties being unable or unwilling to reach agreement or accept arbitration, and the executive branch having exhausted all statutory and other tools available, the responsibility now lies with the legislative branch.

The Congress has expressly refused to give the Executive authority to seize the railroads in time of peace and has expressly excluded railway labor from the national emergency provisions of the Labor-Management Relations Act of 1947. The Supreme Court has stated that the Congress is the appropriate forum for considering remedies against strikes designed to prevent the railroads from reducing employment for economic reasons. (*Telegraphers v. Chicago & N.W.R. Co.*, 362 U.S. 330, 342.) When adopting the Railway Labor Act in 1926, moreover, it was contemplated that special congressional action might be required "to protect the public interest in adequate and uninterrupted transportation. If (the bill) does not so work so as to avoid any impairment of the public interest, Congress will be unembarrassed in adopting any means it sees fit to protect the public interest." (Report of the Senate Committee on Interstate Commerce, S. Rept. No. 222, 69th Cong., 1st sess., 1926.)

In 1916, the Congress set a precedent that is of interest today. As the result of a dispute over hours and wages, the railroad brotherhoods had issued a call for a nationwide rail strike; and President Wilson held a conference with the parties. When he proposed arbitration, the carriers agreed and the brotherhoods refused. When he proposed the 8-hour standard of work and wages, the brotherhoods agreed and the carriers refused. Confronted with the prospects of an early strike, the President then asked Congress to enact the 8-hour standard as an interim law pending a further report to the Congress by a special Presidential Commission. He pointed out that he had "no resources at law for



compulsory arbitration, to save the commercial disaster, the property injury and the personal suffering of all if the strike was not prevented." The Interstate Commerce Commission, he stated, would protect the carriers through its rate powers against any undue cost increases resulting from this change. Congress acted promptly and effectively; and the Supreme Court (*Wilson v. New*, 243 U.S. 332, 333, 342, 1917), emphasizing the fact that the nature of the railroad industry required both employers and employees to defer to regulation in the public interest, held that Congress had the power to impose a settlement binding on both parties "for a reasonable time, in order that the calamity may be averted and that opportunity may be afforded the contending parties to agree upon and substitute a standard of their own."

With all of these legal, economic, and other facts in mind, this administration has given careful consideration to the kind of legislation Congress might usefully enact to meet the needs of the present situation.

Ineffective measures which would not halt an injurious nationwide rail strike have been rejected as inconsistent with the public interest.

Punitive antilabor measures which would destroy railway labor's rights to collective bargaining and reasonable job security have been rejected as harmful to the Nation and insensitive to the very real issues posed by the proposed work rule changes.

Seizure of the railroads has been rejected as unjustified in the circumstances of this case, as creating complex legal and financial problems for the Government, and as merely postponing the day of reckoning on more efficient work rules and their acceptance by the brotherhoods.

Compulsory arbitration of this dispute by a special or congressional panel has been rejected as inconsistent with the principle that solutions reached through free collective bargaining should always be permitted and preferred.

Indefinite extension of the status quo for one or both parties has been rejected as an evasion of a serious public, as well as labor-management, issue that must be squarely faced.

Our objective instead was to find a solution which—

(1) is sufficiently familiar to the Congress, in terms of the procedures and principles involved, to facilitate its prompt enactment;

(2) encourages the parties to achieve their own solutions through collective bargaining;

(3) confronts the parties, on issues where voluntary agreement is not possible, with methods and standards of solution which are comparable to those both sides have previously experienced and found acceptable;

(4) recognizes both the public interest in promoting railroad efficiency and preventing a disastrous strike and the public's concern for those adversely affected by a settlement; and

(5) provides for an interim remedy while awaiting the results of further bargaining by the parties.

#### RECOMMENDED LEGISLATION

As noted above, the railroad 8-hour law of 1916 provides a precedent for congressional intervention of this type; and the Interstate Commerce Act provides a pattern to which both Congress and the parties are accustomed. Recognizing that both railroad mergers and their effect on railroad employment are deeply affected with the public interest, section 5 of that act wisely supplements the results of private decisionmaking and collective bargaining in this area with the quasi-judicial regulatory powers of the independent Interstate Commerce Commission. Proposed mergers must be passed upon by the Commission after due regard to their effect on public service and safety, the rights of employees and other considerations. In its order of approval the Commission includes specific terms and conditions to protect the job security of the employees involved. The carriers and brotherhoods remain free to supersede these employee security provisions with their own collective bargaining agreement. The value which railroad and other unions attribute to this section was reflected in their urging that comparable provisions be included in this year's mass transportation bill; and there are such provisions in this bill as it passed the Senate and as it was reported in the House.

There is no reason why these principles and procedures, if they are applicable to the employment security problems raised by railroad mergers and mass transit modernization, are not equally applicable to the employment security problems raised by railroad modernization and mechanization. An expert body should pass on these proposed rule changes in the light of public service and safety; and it should also make provision to prevent the employees from bearing the full cost of technical or economic progress, so long as priority is given to agreements privately reached by the parties themselves.

I recommend, therefore, that—for a 2-year period during which both the parties and the public can better inform themselves on this problem and alternative approaches—interim work rules changes proposed by either party to which both parties cannot agree should be submitted for approval, disapproval or modification to the Interstate Commerce Commission in accordance with the procedures and provisions of section 5 of the Interstate Commerce Act, the Commission being directed to use to advantage the work of the two previous panels which received evidence on these matters. At its discretion, the Commission may also appoint a special advisory panel to assist it in the discharge of its functions. The Commission shall judge the effect of each proposed rule on the adequacy and safety of transportation service to the public and on the interests of both parties; and it shall, with the advice of the Secretary of Labor, require fair and equitable arrangements to protect the interests of the affected employees, giving proper weight to the protection provisions of section 5(2)(f) of the Interstate Commerce Act and those recommended by the Presidential Com-

mission and Emergency Board reports. Emerging from the recommendations of these boards was the principle that, while many jobs would not be filled following the death, retirement or voluntary transfer of the present occupants, every present employee with a significant attachment to the railroad industry would retain the right to his present employment or to comparable railroad employment at comparable pay. Provisions would also be made for rehiring priority, relocation expenses, displacement allowances, education and retraining grants, supplemental severance and retirement benefits and other features. In short, no one would be thrown out in the street; and, while the railroads gradually modernized their operations, there would be little, if any, loss to individual employees.

Unlike compulsory arbitration, this method would preserve and prefer collective bargaining and give precedence to its solutions. But any strike or lock-out designed to impose a rules change which has not been approved by the Commission or the parties, or to oppose one which has been approved, would be subject to the remedies of section 5(8) of the Interstate Commerce Act.

This procedure is most appropriate to the disposition of those rule changes involving the manning of train or engine crews—the "automation" issues, in a sense. It would build on the progress made to date in defining and refining those issues through the various panel studies and subsequent bargaining efforts.

While the disposal of those issues should be sufficient to remove the barriers to a peaceful solution of all other issues by collective bargaining between the parties, many of them are closely interrelated to the work rules changes—and I recommend that the same joint resolution of the Congress provide that either party may submit such issues to the Commission to be settled by procedures deemed appropriate by the Commission.

I stress the fact that, unlike compulsory arbitration, these procedures would provide only interim changes and only for those situations and for such length of time as the parties are unable to agree by collective bargaining. This was also true of the 1916 act. Experience with both the interim rules and these temporary procedures should enable the parties to consider in 2 years, under considerably less pressure, whatever more comprehensive and final solution is needed, if any.

This recommendation contemplates that the Nation as a whole, which shares in the benefits, would also bear part of the burden imposed by advancing railroad technology. To the extent that provision for retraining and other payments may be available to an employee under the Manpower Development and Training Act of 1962 or other Federal statutes, the carrier will be relieved of this obligation. As Congress recognized in the readjustment provisions of the Trade Expansion Act and selective service laws, the Government has some obligation to assist those adversely affected by governmental decisions which are re-

quired in the national interest; and there is little logic in protecting the economy by methods which also lead to increased unemployment and more distressed areas. The unfairness of placing the entire burden of readjustment costs upon either the carriers or the workers is an additional reason why legislation is particularly appropriate in this case.

The combination of elements stressed in this bill—permitting progress for the carriers and assuring job security and readjustment assistance for the workers—was also stressed by both the Presidential Railroad Commission and the Emergency Board established in this case. Referring to the provisions of section 5 of the Interstate Commerce Act and their successful application to other areas, the Presidential Commission states:

An adequate program to realize the benefits of advancing technology in the public interest, therefore, must include both reasonable opportunity for management to achieve change, and for workers to enjoy reasonable protection against the harsh effects of too sudden change. Progress plus protection must be our choice \* \* \* in the case of technological improvement \* \* \* as in the case of mergers.

#### The Emergency Board stated:

We are mindful also of the necessity for progress in the railroad industry, for efficiency in order to meet the challenge of competing industries. We have sought by our recommendations to increase these prospects of the carriers, and at the same time to preserve not only strong unions for the employees, but for the individual worker a continued life of usefulness to himself and his family, and to society itself. The railroads, and society as a whole have benefited by these changes; and they should both share generously in the burdens which have been cast upon the workers by the dislocations. These burdens, in addition to dollar payments, involve education or retraining for new jobs at the expense of the carriers, supplemented by public funds now or hereafter committed to general retraining of displaced manpower.

#### AUTOMATION

This brings me to the broader issue to which this message is addressed. The dispute which confronts us today has many special features—including the unusual public-interest nature of the industry, the disastrous impact of a prolonged strike and the particular circumstances of this case. It would be wholly inappropriate to make general and permanent changes in our labor relations statutes on this basis.

It would be particularly unwise to enact a general and permanent compulsory arbitration law, which I have always opposed. The Congress contemplated, in enacting the Railway Labor Act as well as the Labor-Management Relations Act of 1947, that special actions by the Congress may be required as a final recourse in any individual dispute; but the automatic assurance of compulsory arbitration would encourage one or both parties to neglect their bargaining responsibilities. The measure I am recommending today, in contrast with compulsory arbitration, gives encouragement and preference to solutions reached by collective bargaining, and provides only for interim decisions. It

recognizes, moreover, that disputed rules changes and their effects on employment are appropriately matters for regulation by an independent agency which has specialized knowledge of the railroad industry and possesses procedures for handling these matters.

I would be remiss in my duty, however, if I failed to note that this dispute over railroad work rules is part of a much broader national problem. Unemployment, whether created by so-called automation, by a shift of industry to new areas, or by an overall shortage of market demand, is a major social burden.

During the past 6 years the level of unemployment has remained far too high. Men have been without jobs and factories have been without orders, primarily because the overall level of market demand has fallen short of the Nation's productive capacity. But when job opportunities are already scarce, those whom technological progress or industrial change displaced are more likely than ever to join the ranks of the unemployed than to find a new job. General unemployment is thus a double burden; as it penalizes those without jobs, it also creates fear and resentment against the very kind of modernization and change upon which our economic progress must in the long run depend. This is why I have placed such heavy emphasis upon the prompt enactment of my tax proposals, designed to stimulate market demand and return the economy to full employment.

To be sure, even with full employment, economic change will still bring problems in the wake of progress. Problems will remain for workers who are displaced by advances in technology, obsolescence of their skills or their industries, inadequacy of their education or training, or geographical shifts in economic activity. These problems are not new; they are the price of progress in any dynamic society. More particularly, the phenomenon that we call automation is not new; technological innovation and change have been the mainspring of economic growth in this country for more than a century. Nor is there yet convincing evidence that the overall pace of such change has accelerated recently.

But seen through the magnifying lens of our general unemployment problem of the past 6 years, the difficulties faced by those who are technologically and structurally displaced from work have captured unprecedented attention; and this is as it should be. Our awareness has been mounting that it is unfair to ask particular workers—or in some instances, even particular employers—to bear the full social costs that attend such progress.

This problem is particularly but not exclusively acute in the railroad industry. Forty percent fewer employees than were employed at the beginning of this decade now handle substantially the same volume of rail traffic. The rapid replacement of steam locomotives by diesel engines for 97 percent of all freight tonnage has confronted many firemen, who have spent much of their career in this work, with the unpleasant prospect of human obsolescence. The intro-

duction of self-propelled vehicles for railroad maintenance, repair, and construction work—the use of longer, heavier, faster, and more efficiently filled trains—and the initiation of centralized traffic control, electronic inspection equipment, telephone and radio communications, and automatic switching and braking equipment have all decreased the need for railroad employment. The Presidential Commission was established in part, it said, because of the need “to close the gap between technology and work.”

That Commission recognized, however, that “revolutionary changes even for the better carry a high price in disruption (that) might exceed the value of the improvements.”

Yet we cannot stop progress in technology or arrest economic change in transportation or any other industry—nor would we want to. For technological change has increased man's knowledge, income, convenience, leisure and comfort. It has reinforced this Nation's leadership in scientific, economic, educational, and military endeavors. It has saved lives as well as money, and enriched society as well as business. Our task as a nation, to use the phrase of the Commission report, is simply to make sure that this public blessing is not a private curse. We cannot pretend that these changes will not occur, that some displacement will not result or that we are incapable of adapting our legislative tools to meet this problem.

While last year's Manpower Development and Training Act recognized the Federal Government's responsibility to help retrain and readjust workers who have been displaced by industrial change, as do this year's vocational education proposals, their scope is too limited to provide the full answer to a problem of this magnitude. The problems of manpower displacement, of which automation is only one cause, should not be settled primarily by the use of private economic power and pressure, or discussed only on the picket lines. They cut across many departments of government, all types of occupations, all standards of income, all sections of the country. Their solution is of importance to the entire Nation which now enjoys all the benefits of economic progress but, except when it is part of the employee group affected, now bears very little of its burdens.

For these reasons, it is my intention to appoint a Presidential Commission on Automation, composed of the ablest men in public and private life, and charged with the responsibility of—

- (1) identifying and describing the major types of worker displacement, both technological and economic, which are likely to occur during the next 10 years, and the social and economic effects of these developments on our economy, our manpower, our communities, our families, and our social structure and human values; and

- (2) recommending, in addition to those actions which are the responsibility of State and local government and private management and labor, specific administrative and legislative steps to be taken by the Federal Government in



meeting its responsibility to share the costs and alleviate the losses of automation job displacement, in such a way as to assure both the continued advance of our technology and the continued well-being of our people.

This Commission should undertake the most comprehensive review of this complex and many-sided subject ever ventured, and report no later than the close of next year. Its report must pioneer in the social, political and economic aspects of automation to the same extent that our science and industry have pioneered in its physical aspects. For the pending railroad dispute is likely the first of many, and a comprehensive long-range policy will be needed. I have no doubt, let me add, that such a policy will embody the basic elements of the measure recommended today—encouraging the advance of technology while protecting the security of the workers, encouraging private bargaining while protecting the public interest.

Thus the prompt enactment of this measure by the Congress will help launch a new national effort to meet the growing challenge of worker displacement by technological and economic change. Both the proposed bill and the new Commission are actions that will benefit both labor and management—but above all, they will benefit the public interest, and that is our primary test.

JOHN F. KENNEDY.

THE WHITE HOUSE, July 22, 1963.

#### FOURTH ANNUAL REPORT ON WEATHER MODIFICATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 143)

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk and together with the accompanying papers referred to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations:

#### To the Congress of the United States:

I transmit herewith for the consideration of the Congress the fourth annual report on weather modification (for fiscal year 1962) as submitted by the Director of the National Science Foundation.

JOHN F. KENNEDY.

THE WHITE HOUSE, July 22, 1963.

#### ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5279. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1964, and for other purposes; and

H.J. Res. 513. Joint resolution authorizing the President to proclaim the week beginning July 28, 1963, as Veterinary Medicine Week.

#### THE LATE HONORABLE HJALMAR C. NYGAARD

The SPEAKER. The Chair recognizes the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, at this time I desire to offer a resolution, but before offering it I would like to say that, of course, it is with genuine sorrow that we have learned of the passing of one of our colleagues, the Honorable HJALMAR NYGAARD, of North Dakota. I suggest that in the very near future, at an appropriate time and after consultation with the Speaker, we shall arrange for those of us who desire to do so, and I certainly shall be among that number, to speak of the life and character and public service of our departed colleague.

Mr. Speaker, I offer a resolution.

The Clerk read the resolution (H. Res. 449), as follows:

*Resolved*, That the House has heard with profound sorrow of the death of the Honorable HJALMAR C. NYGAARD, a Representative from the State of North Dakota.

*Resolved*, That a committee of nineteen Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

*Resolved*, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee the following Members on the part of the House: Mr. SHORT, Mr. HALLECK, Mr. ARENDS, Mr. HOEVEN, Mr. ASPINALL, Mr. SAYLOR, Mr. BERRY, Mr. MCINTIRE, Mr. AVERY, Mr. SISK, Mr. CUNNINGHAM, Mr. LANGEN, Mr. RIVERS of Alaska, Mr. BEERMANN, Mr. DOLE, Mr. MACGREGOR, Mr. MARTIN of Nebraska, Mr. REIFEL, and Mr. DUNCAN.

The Clerk will report the remainder of the resolution.

The Clerk read as follows:

*Resolved*, That as a further mark of respect, the House do now adjourn.

The resolution was agreed to.

#### EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ROGERS of Florida.  
Mr. ALGER.

#### ADJOURNMENT

Accordingly (at 5 o'clock and 46 minutes p.m.) the House adjourned until tomorrow, Tuesday, July 23, 1963, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1054. A letter from the Associate Administrator, Foreign Agricultural Service, U.S. De-

partment of Agriculture, transmitting a report on title I, Public Law 480 agreements concluded during June 1963, pursuant to Public Law 85-128; to the Committee on Agriculture.

1055. A letter from the Assistant Secretary of the Navy (Installations and Logistics) relative to the Department of the Navy proposing to transfer a 56-foot landing craft LCM 6, hull No. 124528 (without engines), to the Pamlico County Health Department, county of Pamlico, N.C., pursuant to title 10, United States Code, section 7308; to the Committee on Armed Services.

1056. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the May 1963 report on Department of Defense procurement from small and other business firms, pursuant to section 10 (d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

1057. A letter from the Secretary of State, transmitting a draft of a proposed bill entitled "A bill to amend the joint resolution providing for membership and participation by the United States in the South Pacific Commission"; to the Committee on Foreign Affairs.

1058. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to authorize the Secretary of Commerce to accept gifts and bequests for the purposes of the Department of Commerce"; to the Committee on Interstate and Foreign Commerce.

1059. A letter from the Secretary of the Interior and the Secretary of Commerce, transmitting a report on the feasibility and desirability of developing a national parkway extending from the Blue Ridge Parkway near Beech Gap, N.C., southwest into Georgia, pursuant to Public Law 87-135; to the Committee on Interior and Insular Affairs.

1060. A letter from the Chairman, Pacific Marine Fisheries Commission, transmitting the 15th Annual Report of the Pacific Marine Fisheries Commission for the year 1962, pursuant to Public Law 232, 80th Congress; to the Committee on Merchant Marine and Fisheries.

1061. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of a proposed bill entitled "A bill to amend the act of July 8, 1940, relating to the transportation of the remains, families, and effects of Federal employees dying abroad, so as to restore the benefits of such act to employees dying in Alaska and Hawaii, and for other purposes"; to the Committee on Post Office and Civil Service.

1062. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions which this Service has approved according to the beneficiaries of such petitions first preference classification, pursuant to the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 3689. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; with amendment (Rept. No. 566). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. S. 130. An act to change the name of Fort Randall Reservoir in the State of South Dakota to Lake Francis Case; without amendment (Rept. No. 567). Referred to the House Calendar.

Mr. DAVIS of Tennessee: Committee on Public Works. S. 131. An act to change the name of the Big Bend Reservoir in the State of South Dakota to Lake Sharpe; without amendment (Rept. No. 568). Referred to the House Calendar.

Mr. DAVIS of Tennessee: Committee on Public Works. S. 850. An act to change the name of the Bruce Eddy Dam and Reservoir in the State of Idaho to the Dworshak Dam and Reservoir; without amendment (Rept. No. 569). Referred to the House Calendar.

Mr. POWELL: Committee on Education and Labor. H.R. 405. A bill to prohibit discrimination in employment in certain cases because of race, religion, color, national origin, ancestry, or age; with amendment (Rept. No. 570). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DENT:

H.R. 7682. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McCLODY:

H.R. 7683. A bill to amend the Internal Revenue Code of 1954 with respect to the determination of the maximum amount which may be allowed a taxpayer as a medical expense deduction to the Committee on Ways and Means.

By Mr. MORRIS:

H.R. 7684. A bill to provide that the United States shall hold certain land in trust for the members of the Alamo Band of Puercoito Navajo Indians; to the Committee on Interior and Insular Affairs.

By Mr. MORRISON:

H.R. 7685. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROBISON:

H.R. 7686. A bill to amend Public Law 409, 74th Congress, to authorize the appropriations necessary to carry out authorized improvements in the project for the Great Lakes-Hudson River Waterway; to the Committee on Public Works.

By Mr. ROGERS of Florida:

H.R. 7687. A bill to prohibit transportation in interstate or foreign commerce of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KING of California:

H.R. 7688. A bill to amend the National Firearms Act to eliminate the Federal occupational and transfer taxes on certain firearms which are chiefly collectors' items; to the Committee on Ways and Means.

By Mr. MATTHEWS (by request):

H.R. 7689. A bill to regulate in the District of Columbia rates for all forms of casualty insurance, including fidelity, surety and guarantee bonds, and for certain forms of fire, marine and inland marine insurance, and for other purposes; to the Committee on the District of Columbia.

By Mr. ROSENTHAL:

H.R. 7690. A bill to provide for more effective utilization of certain Federal grants by encouraging better coordinated local review of State and local applications for such

grants; to the Committee on Government Operations.

By Mr. HARRIS:

H.J. Res. 565. Joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees; to the Committee on Interstate and Foreign Commerce.

By Mr. POWELL:

H. Con. Res. 203. Concurrent resolution authorizing the printing of additional copies of the study entitled "The Federal Government and Education"; to the Committee on House Administration.

By Mr. HEALEY:

H. Res. 447. Resolution expressing the sense of the House of Representatives in favor of direct negotiations between Israel and the Arab States in the search for peace; to the Committee on Foreign Affairs.

H. Res. 448. Resolution concerning collective defense agreements with Israel; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to ratifying the 14th amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Rhode Island, memorializing the President and the Congress of the United States relative to requesting the enactment of appropriate Federal legislation to incorporate the Italian American War Veterans of the United States, Inc., as a national organization; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Vermont, memorializing the President and the Congress of the United States relative to requesting enactment of legislation granting a pension to veterans of World War I; to the Committee on Veterans' Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONTE:

H.R. 7691. A bill for the relief of Krystyna Horosko Powell; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 7692. A bill for the relief of Martin Gerald Freedman; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 7693. A bill for the relief of Dr. Polieno A. Cespon; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 7694. A bill for the relief of Marie Katemopoulos; to the Committee on the Judiciary.

By Mr. McCLODY:

H.R. 7695. A bill for the relief of Mrs. Margaret C. Kebbon; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 7696. A bill for the relief of Giuseppe Lentini; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

206. By the SPEAKER: Petition of Margaret A. Hughes, Rutland, Mass., requesting

the adoption of legislation to achieve an amendment to the Constitution of the United States to permit the recitation of the Lord's Prayer and Bible readings in our schools; to the Committee on the Judiciary.

207. Also petition of Sir John McLeay, Speaker House of Representatives, Parliament House, Canberra, Australia, relative to a resolution adopted by the Parliament of the Commonwealth of Australia on May 23, 1963, relating to the necessity for worldwide disarmament, and the importance of bringing about successful agreements on international inspection; to the Committee on Foreign Affairs.

## SENATE

MONDAY, JULY 22, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of our fathers: At another week's beginning, from the tumult of an angry, agitated world, we seek the sanctuary of Thy overshadowing presence, not that we may escape from the world, but that we may turn with confident spirits and quiet minds to the perplexing maze of its tangled problems.

In these challenging days, when so many hopes are being dashed to the ground, so many once radiant dreams dimmed, help us to rest our minds in Thee and in the strength of the everlasting verities and values which nothing can shake.

As we play our part in this age on ages telling, make us large hearted in helping and cautious in criticizing. Keep us from unkind words and from unkind silences, yet sure and strong in the faith that is in us, whenever and wherever we are called to take our stand. Join us to the seers and prophets of the past who have gone ahead of the lagging crowd to climb the beckoning hilltops of humanity's highest hopes.

We ask it in the dear Redeemer's name. Amen.

## THE JOURNAL

On request of Mr. BIBLE, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 18, 1963, was dispensed with.

## MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on July 19, 1963, the President had approved and signed the following acts:

S. 535. An act to extend the principles of equitable adjudication to sales under the Alaska Public Sale Act;

S. 581. An act to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the provisions permitting the lease of tobacco acreage allotments;

S. 969. An act to provide medical care for certain Coast and Geodetic Survey retired